

COPY

FILED

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2013 AUG 22 AM 11:21

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

Attorneys for Defendant GC SERVICES, LP

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

MARTA WOODWARD,

Plaintiff,

vs.

GC SERVICES, LP, and DOES 1 to 20,  
INCLUSIVE

Defendant.

Case No. EDCV13-1503-VAP  
 (Assigned to the Honorable (Sx)  
 Courtroom    )

## NOTICE OF REMOVAL

## TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE THAT pursuant to the provisions of 28 U.S.C., sections 1441(a) and 1446, Defendant GC SERVICES LP ("Defendant") hereby removes to this Court the state action currently pending in the Los Angeles County Superior Court of California, described more fully below:

1. On July 3, 2013, a civil action was commenced in the Superior Court of the State of California, in and for the County of San Bernardino, entitled *Marta Woodward v. GC Services, LP*, and pending under Case No. CIVDS1307727. A true and correct copy of the Complaint is attached hereto as **Exhibit A** and incorporated herein by this reference.



# **EXHIBIT "A"**

Paul Mankin, IV (264038)  
 Law Offices of Paul Mankin, IV  
 369 S. Doheny Dr. #415  
 Beverly Hills, CA 90211  
 Phone: 877-206-4741  
 Fax: 866-633-0228  
 pmankin@paulmankin.com  
 Attorney for Plaintiff

FILED  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SAN BERNARDINO  
 SAN BERNARDINO CIVIL DIVISION

JUL 03 2013

BY James L. Wade  
 JAYALI WADE, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 FOR THE COUNTY OF SAN BERNARDINO  
 LIMITED JURISDICTION

Case No. CIVDS1307727

Hearing Set for  
 Date: 7/31/14  
 Time: 9:30am  
 Dept: S-32

MARTA WOODWARD,

Plaintiff,

vs.

GC SERVICES, LP; and DOES 1 to 20,  
 INCLUSIVE,

Defendant.

) COMPLAINT FOR VIOLATION  
 ) OF ROSENTHAL FAIR DEBT  
 ) COLLECTION PRACTICES ACT AND  
 ) FEDERAL FAIR DEBT COLLECTION  
 ) PRACTICES ACT

) (Amount not to exceed \$10,000)

- ) 1. Violation of Rosenthal Fair Debt  
 Collection Practices Act  
 ) 2. Violation of Fair Debt Collection  
 Practices Act

I. INTRODUCTION

I. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

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///

///

II. PARTIES

2. Plaintiff, MARTA WOODWARD ("Plaintiff"), is a natural person residing in San Bernardino County in the state of California, and is a "consumer" as defined by the FDCPA, 15 U.S.C. §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

3. At all relevant times herein, Defendant, GC SERVICES, LP, ("Defendant") was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5), and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(e).

4. Plaintiff does not know the true names and capacities, whether corporate, partnership, associate, individual or otherwise, of Defendants sued herein as Does 1 through 20, inclusive, and therefore names said Defendants under provisions of Section 474 of the California Code of Civil Procedure

5. Plaintiff is informed and believes, and on that basis alleges that Defendants Does 1 through 20 are in some manner responsible for acts, occurrences and transactions set forth herein and are legally liable to Plaintiff.

6. At all times mentioned, each of the defendants, whether actually named or fictitiously named, was the agent of the other defendants, whether actually named or fictitiously named, and each other and was at all times acting within the purpose and scope of such agency. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein each defendant, whether actually or fictitiously named was the principal, agent or employee of each other defendant, and in acting as such principal, or within the course and scope of such

1 employment or agency, took some part in the acts and omissions hereinafter set forth by reason  
2 of which each defendant is liable to plaintiff for the relief prayed for herein. At all times  
3 relevant herein, defendants ratified the unlawful conduct of the other defendants, who were  
4 acting within the scope of their agency or employment, by accepting the benefits of the  
5 transaction(s) with knowledge of the wrongdoing, or otherwise by failure to repudiate the  
6 misconduct.  
7

### 8 III. FACTUAL ALLEGATIONS

9  
10 7. At various and multiple times prior to the filing of the instant complaint,  
11 including within the one year preceding the filing of this complaint, Defendant contacted  
12 Plaintiff in an attempt to collect an alleged outstanding debt.

13 8. On or about February of 2013, Defendant began contacting Plaintiff calling from  
14 telephone number (800) 662-8337, in connection with an attempt to collect a debt allegedly  
15 owed by Plaintiff.  
16

17 9. Defendant contacted Plaintiff at telephone number (760) 590-8701  
18 approximately 2 to 3 times per day in connection with an attempt to collect a debt allegedly  
19 owed by Plaintiff.  
20

21 10. On at least one occasion, Defendant contacted Plaintiff's mother in connection  
22 with an attempt to collect a debt allegedly owed by Plaintiff. However, Defendant did not have  
23 authority from Plaintiff to contact a third party.

24 11. On several occasions, Plaintiff requested Defendant to stop calling. However,  
25 Defendant ignored Plaintiff's requests and continued to contact her.

26 12. On at least one occasion, Defendant represented to Plaintiff that failure to pay  
27 the alleged debt would result in Plaintiff's social security payments being garnished.  
28

1 13. Defendant contacted Plaintiff at times and places that were known to be  
2 inconvenient and with such frequency as to constitute harassment under the circumstances,  
3 including but not limited to, multiple calls per week.

4  
5 14. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,  
6 including but not limited to:

- 7 a. Engaging in conduct the natural consequence of which is to harass, oppress, or  
8 abuse Plaintiff (§ 1692d);
- 9 b. Falsely representing or implying that nonpayment of Plaintiff's debt would  
10 result in the seizure, garnishment, attachment, or sale of Plaintiff's property or  
11 wages, where such action is not lawful or Defendant did not intend to take such  
12 action (§ 1692c(4));
- 13 c. Threatening to take an action against Plaintiff that cannot be legally taken or that  
14 was not actually intended to be taken (§ 1692c(5));
- 15 d. Causing a telephone to ring repeatedly or continuously to annoy Plaintiff (Cal  
16 Civ Code § 1788.11(d));
- 17 e. Communicating, by telephone or in person, with Plaintiff with such frequency as  
18 to be unreasonable and to constitute an harassment to Plaintiff under the  
19 circumstances (Cal Civ Code § 1788.11(e));
- 20 f. Causing Plaintiff's telephone to ring repeatedly or continuously with intent to  
21 harass, annoy or abuse Plaintiff (§ 1692d(5)); and
- 22 g. Communicating with Plaintiff at times or places which were known or should  
23 have been known to be inconvenient for Plaintiff, (§ 1692c(a)(1)).

24 15. As a result of the above violations of the FDCPA and RFDCPA, Plaintiff  
25 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
26 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for  
27 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

28  
**COUNT I: VIOLATION OF ROSENTHAL**  
**FAIR DEBT COLLECTION PRACTICES ACT**

16. Plaintiff reincorporates by reference all of the preceding paragraphs.

1 17. To the extent that Defendant's actions, counted above, violated the RIDCPA,  
2 those actions were done knowingly and willfully.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
5 for the following:

- 6  
7 A. Actual damages;  
8 B. Statutory damages for willful and negligent violations;  
9 C. Costs and reasonable attorney's fees; and  
10 D. For such other and further relief as may be just and proper.

11 **COUNT II: VIOLATION OF FAIR DEBT**  
12 **COLLECTION PRACTICES ACT**

13 18. Plaintiff reincorporates by reference all of the preceding paragraphs.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
16 for the following:

- 17 A. Actual damages;  
18 B. Statutory damages;  
19 C. Costs and reasonable attorney's fees; and  
20 D. For such other and further relief as may be just and proper.

21 !!!

22 !!!

23 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

24 Respectfully submitted this June 27, 2013.

25 By: 

26 Paul Mankin, IV, Esq.  
27 Law Offices of Paul Mankin, IV.  
28 Attorney for Plaintiff



# **EXHIBIT "B"**

**SUMMONS  
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT;  
(AVISO AL DEMANDADO):**

**GC SERVICES, LP; and DOES 1 to 20, INCLUSIVE**

**YOU ARE BEING SUED BY PLAINTIFF;  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**  
**MARTA WOODWARD**

SUM-100

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)  
**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO CIVIL DIVISION

JUL 03 2013

BY

*[Signature]*  
CLERK OF COURT

**NOTICE:** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case, there may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or judgment award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **(AVISO)** Lo ha demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que se entreguen este citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito debe que estar en formato legal correcto, si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.suscorte.ca.gov](http://www.suscorte.ca.gov)), en la biblioteca de su condado o en la corte que le quite más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de costas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte lo podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California ([www.suscorte.ca.gov](http://www.suscorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las costas y los costos exactos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una ordenación de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda declarar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es: Superior Court of San Bernardino

303 W. Third St.

San Bernardino, CA 92415-0210

CASE NUMBER

(Número del caso) **01308130772**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es:

Paul Mankin, IV (SBN 264038), 8770 Wilshire Blvd, #310, Beverly Hills, CA 90211, 800-219-3577

DATE:  
(Fecha)

JUL 03 2013

Clerk by  
(Secretario)

Rayali Wards

, Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form FCS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (FCS-010).)

(PREF.)

**NOTICE TO THE PERSON SERVED:** You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify): **GC SERVICES**

<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.00 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.80 (authorized person)

4. ☐ other (specify):

4. ☒ by personal delivery on (date): **7/2/2013**

Form Adopted for Mandatory Use  
Superior Court of California  
SUM-100 (Rev. July 1, 2008)

SUMMONS

Page 1 of 1  
Cost of Clerk's Preparation: \$64 (12.75, 405  
[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov))

Paul Mankin, IV (264038)  
 Law Offices of Paul Mankin, IV  
 369 S. Doheny Dr. #415  
 Beverly Hills, CA 90211  
 Phone: 877-206-4741  
 Fax: 866-633-0228  
 pmankin@paulmankin.com  
 Attorney for Plaintiff

**FILED**  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SAN BERNARDINO  
 SAN BERNARDINO CIVIL DIVISION

JUL 08 2013

BY J. L. Wade  
 JAYALI WADE, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 FOR THE COUNTY OF SAN BERNARDINO  
 LIMITED JURISDICTION

Hearing Set for  
 Date: 7/3/14  
 Time: 9:30am  
 Dept: S-32

Case No. CIVDS130772

MARTA WOODWARD,

Plaintiff,

vs.

GC SERVICES, LP; and DOES 1 to 20,  
 INCLUSIVE,

Defendant.

) COMPLAINT FOR VIOLATION  
 ) OF ROSENTHAL FAIR DEBT  
 ) COLLECTION PRACTICES ACT AND  
 ) FEDERAL FAIR DEBT COLLECTION  
 ) PRACTICES ACT  
 )  
 ) (Amount not to exceed \$10,000)  
 )  
 ) 1. Violation of Rosenthal Fair Debt  
 ) Collection Practices Act  
 )  
 ) 2. Violation of Fair Debt Collection  
 ) Practices Act

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

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## II. PARTIES

2. Plaintiff, MARTA WOODWARD ("Plaintiff"), is a natural person residing in San Bernardino County in the state of California, and is a "consumer" as defined by the FDCPA, 15 U.S.C. §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

3. At all relevant times herein, Defendant, GC SERVICES, LP, ("Defendant") was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5), and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(e).

4. Plaintiff does not know the true names and capacities, whether corporate, partnership, associate, individual or otherwise, of Defendants sued herein as Does 1 through 20, inclusive, and therefore names said Defendants under provisions of Section 474 of the California Code of Civil Procedure

5. Plaintiff is informed and believes, and on that basis alleges that Defendants Does 1 through 20 are in some manner responsible for acts, occurrences and transactions set forth herein and are legally liable to Plaintiff.

6. At all times mentioned, each of the defendants, whether actually named or fictitiously named, was the agent of the other defendants, whether actually named or fictitiously named, and each other and was at all times acting within the purpose and scope of such agency. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein each defendant, whether actually or fictitiously named was the principal, agent or employee of each other defendant, and in acting as such principal, or within the course and scope of such

1 employment or agency, took some part in the acts and omissions hereinafter set forth by reason  
2 of which each defendant is liable to plaintiff for the relief prayed for herein. At all times  
3 relevant herein, defendants ratified the unlawful conduct of the other defendants, who were  
4 acting within the scope of their agency or employment, by accepting the benefits of the  
5 transaction(s) with knowledge of the wrongdoing, or otherwise by failure to repudiate the  
6 misconduct.  
7

### 8 III. FACTUAL ALLEGATIONS

9  
10 7. At various and multiple times prior to the filing of the instant complaint,  
11 including within the one year preceding the filing of this complaint, Defendant contacted  
12 Plaintiff in an attempt to collect an alleged outstanding debt.

13 8. On or about February of 2013, Defendant began contacting Plaintiff calling from  
14 telephone number (800) 662-8337, in connection with an attempt to collect a debt allegedly  
15 owed by Plaintiff.  
16

17 9. Defendant contacted Plaintiff at telephone number (760) 590-8701  
18 approximately 2 to 3 times per day in connection with an attempt to collect a debt allegedly  
19 owed by Plaintiff.

20 10. On at least one occasion, Defendant contacted Plaintiff's mother in connection  
21 with an attempt to collect a debt allegedly owed by Plaintiff. However, Defendant did not have  
22 authority from Plaintiff to contact a third party.  
23

24 11. On several occasions, Plaintiff requested Defendant to stop calling. However,  
25 Defendant ignored Plaintiff's requests and continued to contact her.

26 12. On at least one occasion, Defendant represented to Plaintiff that failure to pay  
27 the alleged debt would result in Plaintiff's social security payments being garnished.  
28

1 13. Defendant contacted Plaintiff at times and places that were known to be  
2 inconvenient and with such frequency as to constitute harassment under the circumstances,  
3 including but not limited to, multiple calls per week.

4  
5 14. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,  
6 including but not limited to:

- 7 a. Engaging in conduct the natural consequence of which is to harass, oppress, or  
8 abuse Plaintiff (§ 1692d);
- 9 b. Falsely representing or implying that nonpayment of Plaintiff's debt would  
10 result in the seizure, garnishment, attachment, or sale of Plaintiff's property or  
11 wages, where such action is not lawful or Defendant did not intend to take such  
12 action (§ 1692c(4));
- 13 c. Threatening to take an action against Plaintiff that cannot be legally taken or that  
14 was not actually intended to be taken (§ 1692c(5));
- 15 d. Causing a telephone to ring repeatedly or continuously to annoy Plaintiff (Cal  
16 Civ Code § 1788.11(d));
- 17 e. Communicating, by telephone or in person, with Plaintiff with such frequency as  
18 to be unreasonable and to constitute an harassment to Plaintiff under the  
19 circumstances (Cal Civ Code § 1788.11(e));
- 20 f. Causing Plaintiff's telephone to ring repeatedly or continuously with intent to  
21 harass, annoy or abuse Plaintiff (§ 1692d(5)); and
- 22 g. Communicating with Plaintiff at times or places which were known or should  
23 have been known to be inconvenient for Plaintiff, (§ 1692c(a)(1)).

24 15. As a result of the above violations of the FDCPA and RFDCPA, Plaintiff  
25 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
26 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for  
27 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

28  
**COUNT I: VIOLATION OF ROSENTHAL**  
**FAIR DEBT COLLECTION PRACTICES ACT**

16. Plaintiff reincorporates by reference all of the preceding paragraphs.

1 17. To the extent that Defendant's actions, counted above, violated the RFIDCPA,  
2 those actions were done knowingly and willfully.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
5 for the following:

- 6  
7 A. Actual damages;  
8 B. Statutory damages for willful and negligent violations;  
9 C. Costs and reasonable attorney's fees; and  
10 D. For such other and further relief as may be just and proper.

11 **COUNT II: VIOLATION OF FAIR DEBT**  
**COLLECTION PRACTICES ACT**

12 18. Plaintiff reincorporates by reference all of the preceding paragraphs.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
15 for the following:

- 16 A. Actual damages;  
17 B. Statutory damages;  
18 C. Costs and reasonable attorney's fees; and  
19 D. For such other and further relief as may be just and proper.

20 !!!

21 !!!

22 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

23 Respectfully submitted this June 27, 2013.

24 By: 

25 Paul Mankin, IV, Esq.  
26 Law Offices of Paul Mankin, IV.  
27 Attorney for Plaintiff  
28

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, title, law firm, address) Paul Mankin, IV, Esq. SDN 3640 JX Law Offices of Paul Mankin, IV 8730 Wilshire Blvd, #310 Beverly Hills, CA 90211 (TELEPHONE NO.) 800-219-3577 (FAX NO.) 866-633-0228		CM-010 FOR COURT USE ONLY <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN BERNARDINO SAN BERNARDINO CIVIL DIVISION JUL 03 2013 BY <u>AYALI WADE, DEPUTY</u>
ATTORNEY FOR PLAINTIFF Plaintiff, Maria Woodward		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS 303 W Third St. MAILING ADDRESS Same CITY AND ZIP CODE San Bernardino, CA 92415-0210 BRANCH NAME San Bernardino District - Civil Division		
CASE NAME: Maria Woodward v GC Services, I.P. et al.		
<b>CIVIL CASE COVER SHEET</b> <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER CIVIL 1307727

Items 1-6 below must be completed (see instructions on page 2)

1 Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PIPD/WMD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (34) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIPD/WMD (23) <b>Non-PIP/WMD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (37) <input type="checkbox"/> Civil rights (38) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (18) <input type="checkbox"/> Intellectual property (10) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PIP/WMD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (30) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (08) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Will of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2 This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a <input type="checkbox"/> Large number of separately represented parties	d <input type="checkbox"/> Large number of witnesses
b <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c <input type="checkbox"/> Substantial amount of documentary evidence	f <input type="checkbox"/> Substantial postjudgment judicial supervision

3 Remedies sought (check all that apply): a ☒ monetary b ☒ nonmonetary, declaratory or injunctive relief c ☐ punitive

4 Number of causes of action (specify): 2: RFDCPA & FDCPA

5 This case ☐ is ☒ is not a class action suit

6 If there are any known related cases, file and serve a notice of related case. (You may use form CM-010.)

Date June 27, 2013  
 Paul Mankin, IV, Esq.

NOTICE

Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code or Welfare and Institutions Code) (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.

File this cover sheet in addition to any cover sheet required by local court rule.

If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.

Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use  
 Judicial Branch of California  
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 3.220, 3.720, 3.400-3.403, 3.740  
 For Statements of Judicial Administration, add 3.10  
 www.courtinfo.ca.gov



## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
Auto (22)-Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Arbitration/Trade Regulation (03)
Uninsured Motorist (48) (If the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)	Breach of Rental/Lease Contract (not unlawful detainment or wrongful eviction)	Construction Defect (10)
Other PIP/DWD (Personal Injury/Property Damage/Wrongful Death) Tort	Contract/Warranty Breach-Seller Plaintiff (not fraud or negligence)	Claims Involving Mass Tort (40)
Asbestos (04)	Negligent Breach of Contract/Warranty	Securities Litigation (26)
Asbestos Property Damage	Other Breach of Contract/Warranty	Environmental/Toxic Tort (30)
Asbestos Personal Injury/Wrongful Death	Collections (e.g., money owed, open book accounts) (09)	Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)
Product Liability (not asbestos or toxic/environmental) (24)	Collection Case-Seller Plaintiff	Enforcement of Judgment
Medical Malpractice (45)	Other Promissory Note/Collections Case	Enforcement of Judgment (20)
Medical Malpractice-Physicians & Surgeons	Insurance Coverage (not provisionally complex) (18)	Abstract of Judgment (Out of County)
Other Professional Health Care Malpractice	Auto Subrogation	Confession of Judgment (non-domestic relations)
Other PIP/DWD (23)	Other Coverage	Slater State Judgment
Promises Liability (e.g., slip and fall)	Other Contract (37)	Administrative Agency Award (not unpaid taxes)
Intentional Bodily Injury/PI/DWD (e.g., assault, vandalism)	Contractual Fraud	Political Certification of Entry of Judgment on Unpaid Taxes
Intentional Infliction of Emotional Distress	Other Contract Dispute	Other Enforcement of Judgment Case
Negligent Infliction of Emotional Distress	Real Property	Miscellaneous Civil Complaints
Other PIP/DWD	Eminent Domain/Inverse Condemnation (14)	RICO (27)
Non-PIP/DWD (Other) Tort	Wrongful Eviction (33)	Other Complaint (not specified above) (42)
Business Tort/Unfair Business Practice (07)	Other Real Property (e.g., quiet title) (26)	Declaratory Relief Only
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (06)	Writ of Possession of Real Property	Injunctive Relief Only (non-harassment)
Defamation (e.g., slander, libel) (13)	Mortgage Foreclosure	Mechanics Lien
Fraud (15)	Quiet Title	Other Commercial Complaint Case (non-tort/non-complex)
Intellectual Property (19)	Other Real Property (not eminent domain, landlord/tenant, or foreclosure)	Other Civil Complaint (non-tort/non-complex)
Professionals: Negligence (25)	Unlawful Detainer	Miscellaneous Civil Petition
Legal Malpractice	Commercial (31)	Partnership and Corporate Governance (21)
Other: Professional Malpractice (not medical or legal)	Residential (32)	Other Petition (not specified above) (43)
Other Non-PIP/DWD Tort (35)	Drugs (38) (If the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)	Civil Harassment
Employment	Judicial Review	Workplace Violence
Wrongful Termination (36)	Asset Forfeiture (05)	Elder/Dependent Adult Abuse
Other Employment (15)	Pollution Re: Arbitration Award (11)	Election Contest
	Writ of Mandate (02)	Petition for Name Change
	Writ-Administrative Mandamus	Petition for Relief From Late Claims
	Writ-Mandamus on Limited Court Case Matter	Other Civil Petition
	Writ-Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal-Labor Commissioner Appeals	

CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Page 2 of 2

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

Marta Woodward

Case No. 13VB0130713

vs.

## CERTIFICATE OF ASSIGNMENT

GC Services, LP, et al

A civil action or proceeding presented for filing must be accompanied by this certificate. If the ground is the residence of a party, name and residence shall be stated.

The undersigned declares that the above-entitled matter is filed for proceedings in the San Bernardino District of the Superior Court under Rule 404 of this court for the checked reason:

- | <input type="checkbox"/> General    | <input type="checkbox"/> Collection | Nature of Action  | Ground   |
|-------------------------------------|-------------------------------------|---|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | 1 Adoption  | Petitioner resides within the district.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 2 Conservator   | Petitioner or conservatee resides within the district.                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 3 Contract  | Performance in the district is expressly provided for.                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 4 Equity  | The cause of action arose within the district.                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 5 Eminent Domain  | The property is located within the district.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 6 Family Law  | Plaintiff, defendant, petitioner or respondent resides within the district.          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 7 Guardianship  | Petitioner or ward resides within the district or has property within the district.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 8 Harassment  | Plaintiff, defendant, petitioner or respondent resides within the district.          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 9 Mandate   | The defendant functions wholly within the district.                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 10 Name Change  | The petitioner resides within the district.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 11 Personal Injury  | The injury occurred within the district.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 12 Personal Property  | The property is located within the district.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 13 Probate  | Decedent resided or resides within the district or had property within the district. |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 14 Prohibition  | The defendant functions wholly within the district.                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 15 Review   | The defendant functions wholly within the district.                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 16 Title to Real Property   | The property is located within the district.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 17 Transferred Action   | The lower court is located within the district.                                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 18 Unlawful Detainer  | The property is located within the district.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 19 Domestic Violence  | The petitioner, defendant, plaintiff or respondent resides within the district.      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 20 Other RPDCA  | Plaintiff resides within the district.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 21 THIS FILING WOULD NORMALLY FALL WITHIN JURISDICTION OF SUPERIOR COURT. |  |

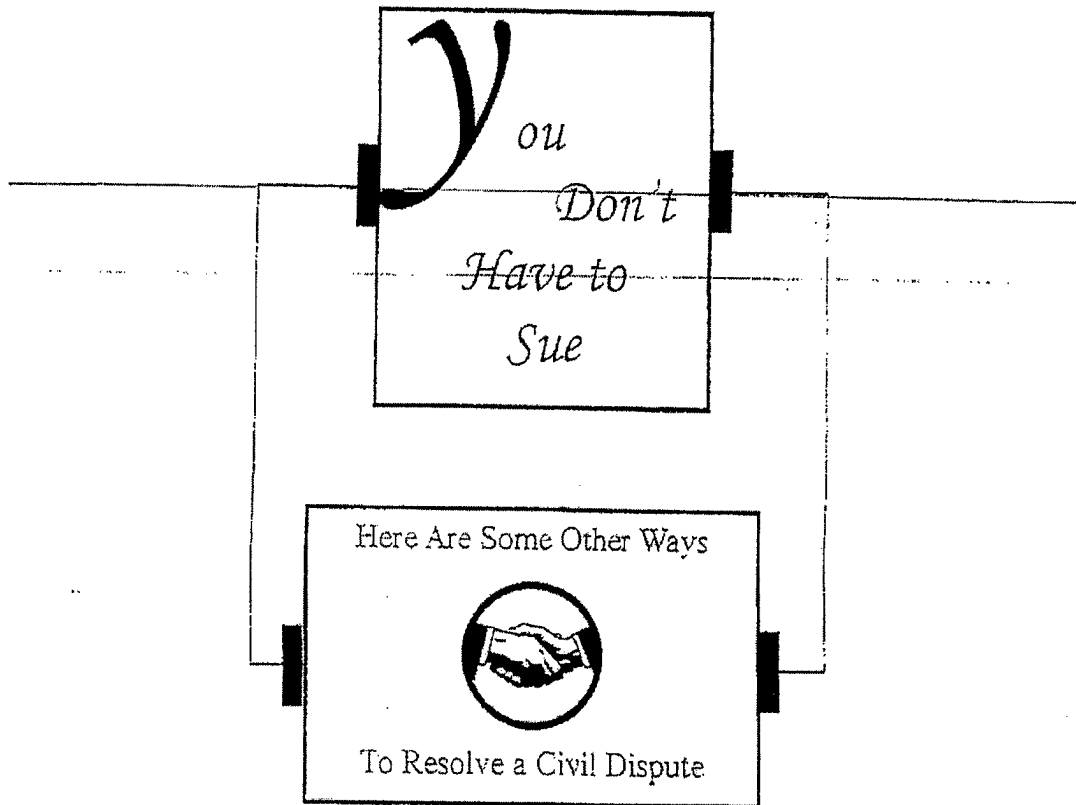
The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the above-designated district is:

Marta Woodward	1050 Desert #1
(NAME, INDICATE TITLE OR OTHER QUALIFYING FACTOR)	ADDRESS
San Bernardino	CA 92311
(CITY)	(STATE) (ZIP CODE)

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was executed on

June 27, 2013 at Beverly Hills, California

Signature of Attorney/Party



Presented by the  
Judicial Council of California  
And the  
State Bar of California

## Introduction

Did you know that most civil lawsuits settle without a trial?

And did you know that there are a number of ways to resolve civil disputes without having to sue somebody?

These alternatives to a lawsuit are known as alternative dispute resolution (ADR). The most common forms of ADR are mediation, arbitration, and case evaluation. There are a number of other kinds of ADR as well.

In ADR, trained, impartial persons decide disputes or help parties decide disputes themselves. These persons are called neutrals. For example, in mediation, the neutral is the mediator. Neutrals normally are chosen by the disputing parties or by the court. Neutrals can help parties resolve disputes without having to go to court.

ADR is not new. ADR is available in many communities, through dispute resolution programs and private neutrals.

## Advantages of ADR

ADR can have a number of advantages over a lawsuit.

- ADR can be speedier. A dispute often can be resolved in a matter of months, even weeks, through ADR, while a lawsuit can take years.
- ADR can save money. Court costs, attorneys' fees, and expert fees can be saved.
- ADR can permit more participation. The parties may have more chances to tell their side of the story than in court and may have more control over the outcome.
- ADR can be flexible. The parties can choose the ADR process that is best for them. For example, in mediation the parties may decide how to resolve their dispute.
- ADR can be cooperative. This means that the parties having a dispute may work together with the neutral to resolve the dispute and agree to a remedy that makes sense to them, rather than work against each other.
- ADR can reduce stress. There are fewer, if any, court appearances. And because ADR can be speedier, and save money, and because the parties are normally cooperative, ADR is easier on the nerves. The parties don't have a lawsuit hanging over their heads for years.

- ADR can be more satisfying. For all the above reasons, many people have reported a high degree of satisfaction with ADR.

Because of these advantages, many parties choose ADR to resolve a dispute, instead of filing a lawsuit. Even when a lawsuit has been filed, the court can refer the dispute to a neutral before the parties' positions harden and the lawsuit becomes costly. ADR has been used to resolve disputes even after a trial, when the result is appealed.

### Disadvantages of ADR

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ADR may not be suitable for every dispute.

- If ADR is binding, the parties normally give up most court protections, including a decision by a judge or jury under formal rules of evidence and procedure, and review for legal error by an appellate court.
- There generally is less opportunity to find out about the other side's case with ADR than with litigation. ADR may not be effective if it takes place before the parties have sufficient information to resolve the dispute.
- The neutral may charge a fee for his or her services.
- If a dispute is not resolved through ADR, the parties may have to put time and money into both ADR and a lawsuit.
- Lawsuits must be brought within specified periods of time, known as statutes of limitation. Parties must be careful not to let a statute of limitations run out while a dispute is in an ADR process.

### Three Common Types of ADR

This pamphlet describes the forms of ADR most often found in the California state courts and discusses when each may be right for a dispute.

#### • MEDIATION

In mediation, a neutral (the mediator) assists the parties in reaching a mutually acceptable resolution of their dispute. Unlike lawsuits or some other types of ADR, the mediator does not decide how the dispute is to be resolved. The parties do.

Mediation is a cooperative process, in which the parties work together toward a resolution that tries to meet everyone's interests, instead of working against each other, where at least one party loses. Mediation normally leads to better relations between the parties and to resolutions that hold up. For example, mediation has been very successful in family disputes, particularly with child custody and visitation.

Mediation is particularly effective when the parties have a continuing relationship, like neighbors or business people. Mediation also is very effective where personal feelings are getting in the way of a resolution. This is because mediation normally gives the parties a chance to let out their feelings and find out how each other sees things.

Mediation may not be a good idea when one party is unwilling to discuss a resolution or when one party has been a victim of the other or cannot have enough bargaining power in the mediation. However, mediation can be successful for victims seeking restitution from offenders. A mediator can meet with the parties separately when there has been violence between them.

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- **ARBITRATION**

In arbitration, a neutral (the arbitrator) reviews evidence, hears arguments, and makes a decision (award) to resolve the dispute. This is very different from mediation, where the mediator helps the parties reach their own resolution. Arbitration normally is more informal and much speedier and less expensive than a lawsuit. Because of the large number of cases awaiting trial in many courts, a dispute normally can be heard much more quickly by an arbitrator than by a judge. Often a case that may take a week to try in court can be heard by an arbitrator in a matter of hours, because evidence can be submitted by documents (like medical reports and bills and business records), rather than testimony.

There are two kinds of arbitration in California. Private arbitration, by agreement of the parties involved in the dispute, takes place outside of the courts and normally, is binding. In most cases "binding" means that the arbitrator's decision (award) is final and there will not be a trial or an appeal of that decision. By contrast, a decision by an arbitrator in a case referred by the courts, known as "judicial arbitration," is not binding, unless parties agree to be bound. A party who does not like the award may file a request for trial with the court within a specified time. However, if that party does not do better in the trial than in arbitration, he or she may have to pay a penalty.

Arbitration is best for cases where the parties want a decision without the expense of a trial. Arbitration may be better than mediation when the parties have no relationship except for the dispute.

Arbitration may not be a good idea when the parties want to resolve their dispute by themselves, or with the aid of a neutral.

- **CASE EVALUATION**

In case evaluation, a neutral (the evaluator) gives an opinion on the strengths and weaknesses of each party's evidence and arguments, and makes an evaluation of the case. Each party gets a chance to present the case and hear the other side. This may lead to a settlement, or at least help the parties prepare to resolve the dispute later on.

Case evaluation, like mediation, can come early in the dispute and save time and money.

Case evaluation is most effective when someone has an unrealistic view of the dispute or when the only real issue is what the case is worth, or when there are technical or scientific questions to be worked out.

Case evaluation may not be a good idea when it is too soon to tell what the case is worth or when the dispute is about something besides money, like a neighbor playing loud music late at night.

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### Additional Information

There are several other types of ADR besides mediation, arbitration, and case evaluation. Some of these are conciliation, settlement conferences, fact finding, mini-trials, and summary jury trials. Sometimes parties will try a combination of ADR types. The important thing is to try to find the type or types of ADR that are most likely to resolve your dispute.

The selection of a neutral is an important decision. There is no legal requirement that the neutral be licensed or hold any particular certificate. However, some programs have established qualification requirements for neutrals. You may wish to inquire about the qualifications of any neutral you are considering.

Agreements reached through ADR normally are put in writing by the neutral and, if the parties wish, may become binding contracts that can be enforced by a judge.

You may wish to seek the advice of an attorney as to your legal rights and other matters relating to the dispute.

### Whom Do You Call?

To locate a dispute resolution program or neutral in your community:

- Contact the California Department of Consumer Affairs, Consumer Information Center, toll free, 1-800-952-5210, or
- Contact the local bar association, or
- Look in the Yellow Pages under "Arbitrations" or "Mediators."

There may be a charge for services provided by private arbitrators and mediators.



## Accommodations For Persons With Disabilities Using Court Facilities

The Americans with Disabilities Act (ADA) and State law require all state and local governmental entities, including the courts to provide reasonable accommodations for the needs of persons with disabilities. The ADA benefits people who have an interest in court activities, programs and services. In 1996 the Judicial Council of California, the policy-making body for the courts, adopted California Rules of Court, rule 1.00 (former rule 989.3) to implement the ADA in the state court system.

Under the ADA, State laws, and the court rule, a person is entitled to an accommodation if he or she is an "eligible person with a disability." This means the person has a physical or mental impairment that limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

It is the individual's responsibility to contact the court to request accommodations that would best suit his or her situation. The individual may request an accommodation by completing the Request for Accommodations by Persons with Disabilities (Judicial Council Form MC-410) or by other means, and provide the request to court staff. If the individual is involved in more than one case, they must submit a separate request (MC-410 form) for each case. The individual should give the court at least five working days notice whenever possible. The court may grant, modify or deny the request. The information presented will be kept confidential unless ordered released by a judicial officer, or a written waiver of confidentiality is received from the requestor.

The court will evaluate all requests to make reasonable modifications to its policies, practices, and procedures when these modifications are necessary to avoid discriminating against a person because of a disability.

Service animals are permitted in court facilities. The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. Service animals may go to all areas of the court where customers are normally allowed.

For free tools that allow persons with visual disabilities to read documents in Adobe Acrobat PDF format, please visit <http://www.adobe.com/enterprise/accessibility/main.html>. These tools convert PDF documents into either HTML or ASCII text that can be read by many screen-reading programs.

For further information and forms:

Jurors: Please contact the Jury Services Office at (909) 884-1858.

Others: Please contact the court's ADA Coordinator at [sprentiss@sb-courts.org](mailto:sprentiss@sb-courts.org)

Court employees: To request accommodation for yourself, please contact your supervisor or the Court's Personnel Department. For information on assisting court customers with Ada issues, refer to the court intranet site [www.sb-court.org](http://www.sb-court.org)

If you should have any questions or concerns regarding Americans with Disabilities, please contact Sharon Prentiss, Director of Court Administrative Services at (909) 708-8743.

Request for Accommodation Instruction Sheet (Non-Fillable Form and Rule of Court 1)  
<http://www.sb-court.org/Portals/0/Documents/PDF/ADA/ADA-Persons-With-Disabilities-MC410QA.pdf>

Request for Accommodation Form Fillable Version (MC-410)  
<http://www.courts.ca.gov/documents/mc410.pdf>

Q&A on Rule of Court 1.100

<http://www.sb-court.org/Portals/0/Documents/PDF/ADA/Requestforaccommodationsbypersonswithdisabilities.pdf>

Access and Fairness Advisory Flyer

<http://www.sb-court.org/Portals/0/Documents/PDF/ADA/ProvidingDisabilityAccommodations.pdf>



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

SAN BERNARDINO CIVIL DIVISION  
303 WEST THIRD STREET  
SAN BERNARDINO, CA 92415-0210

CASE NO: CIVDS1307727

LAW OFFICES OF PAUL MANK IN, IV  
369 S DOHENY DR #415  
BEVERLY HILLS CA 90211

NOTICE OF TRIAL SETTING  
CONFERENCE

IN RE: WOODWARD -V- GC SERVICES

Notice is hereby given that the above-entitled case has been set for Trial Setting Conference at the court located at 303 West Third Street San Bernardino, CA.

HEARING DATE: 01/03/14 at 8:30 in Dept. S32

DATE: 07/05/13

Stephen H. Nash, Clerk of the Court

By: JENNIFER MEDINA

CERTIFICATE OF SERVICE

I am a Deputy Clerk of the Superior Court for the County of San Bernardino at the above listed address. I am not a party to this action and on the date and place shown below, I served a copy of the above listed notice:

- ( ) Enclosed in a sealed envelope mailed to the interested party addressed above, for collection and mailing this date, following standard Court practices.
- ( ) Enclosed in a sealed envelope, first class postage prepaid in the U.S. mail at the location shown above, mailed to the interested party and addressed as shown above, or as shown on the attached listing.
- ( ) A copy of this notice was given to the filing party at the counter
- ( ) A copy of this notice was placed in the bin located at this office and identified as the location for the above law firm's collection of file stamped documents.

Date of Mailing: 07/05/13

I declare under penalty of perjury that the foregoing is true and correct. Executed on 07/05/13 at San Bernardino, CA

BY: JENNIFER MEDINA

civ-ntsc-20130417

**PROOF OF SERVICE**  
**STATE OF CALIFORNIA- COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11601 Wilshire Blvd., Suite 800, Los Angeles, CA 90025.

On August 21, 2013, I served the foregoing documents described as: **NOTICE OF REMOVAL**, on the following attorney(s) of record and/or interested parties in this action, by placing a true and correct copy(ies) thereof enclosed in sealed envelope(s), addressed as follows, by the following means:

Paul Mankin, IV  
 Law Offices of Paul Mankin, IV  
 369 S. Doheny Dr., #415  
 Beverly Hills, CA 90211  
 877-2064741  
 866-633-0228 fax  
[pmankin@paulmankin.com](mailto:pmankin@paulmankin.com)

Attorneys for Plaintiff

**(BY MAIL):** ☒ I deposited/caused to be deposited such envelope in the mail at Los Angeles, California, with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

**(BY FACSIMILE TRANSMISSION):** I caused a true copy thereof from sending facsimile machine telephone number 310-909-8001 to be sent via facsimile to the above listed names and facsimile numbers and received confirmed transmission reports indicating that this document was successfully transmitted to the parties named above.

**(BY E-MAIL):** I caused a true copy of the foregoing document(s) to be served by electronic email transmission at the time shown on each transmission, to each interested party at the email address shown above. Each transmission was reported as complete and without error.

**(BY CM/ECF SERVICE):** I caused such document(s) to be delivered electronically via CM/ECF as noted herein.

Executed on August 21, 2013, at Los Angeles, California.

**(FEDERAL):** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct

  
 MELANIE DAVIS

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Virginia A. Phillips and the assigned Magistrate Judge is Sheri Pym.

The case number on all documents filed with the Court should read as follows:

EDCV13-1503-VAP (SPx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

August 22, 2013

Date

By MDAVIS  
Deputy Clerk

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NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☐ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☒ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I. (a) PLAINTIFFS</b> ( Check box if you are representing yourself <input type="checkbox"/> ) Marta Woodward	<b>DEFENDANTS</b> ( Check box if you are representing yourself <input type="checkbox"/> ) GC Services, LP
--	--

<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Paul Mankin, IV Law Offices of Paul Mankin, IV 369 S. Doheny Dr., #415, Beverly Hills, CA 90211 877-206-4741	<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Renee C. Ohlendorf Hinshaw & Culbertson, LLP 11601 Wilshire Blvd., Ste. 800, Los Angeles, CA 90025 310-909-8000
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<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%"> <tr> <td style="width:50%">                     Citizen of This State <input type="checkbox"/> 1                      Citizen of Another State <input type="checkbox"/> 2                      Citizen or Subject of a Foreign Country <input type="checkbox"/> 3                 </td> <td style="width:50%">                     PTF DEF  <input type="checkbox"/> 1 <input type="checkbox"/> 1  <input type="checkbox"/> 2 <input type="checkbox"/> 2  <input type="checkbox"/> 3 <input type="checkbox"/> 3                      Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4                      Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5                      Foreign Nation <input type="checkbox"/> 6                 </td> </tr> </table>	Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 3 Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6
Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 3 Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6		

<b>IV. ORIGIN</b> (Place an X in one box only.) <input type="checkbox"/> 1. Original Proceeding <input checked="" type="checkbox"/> 2. Removed from State Court <input type="checkbox"/> 3. Remanded from Appellate Court <input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify) <input type="checkbox"/> 6. Multi-District Litigation
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**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

**CLASS ACTION** under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Plaintiff alleges violation of the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer influenced & Corrupt Org. <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property <b>TORTS</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions <b>TORTS</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth In Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 American with Disabilities-Employment <input type="checkbox"/> 446 American with Disabilities-Other <input type="checkbox"/> 448 Education	<input type="checkbox"/> Habeas Corpus <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee Conditions of Confinement <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405 (g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: EDCV13-1503

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

<b>County in this District:*</b>	California County outside of this District; State, if other than California; or Foreign Country
San Bernardino	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

<b>County in this District:*</b>	California County outside of this District; State, if other than California; or Foreign Country

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.  
**NOTE: In land condemnation cases, use the location of the tract of land involved.**

<b>County in this District:*</b>	California County outside of this District; State, if other than California; or Foreign Country

\*Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties  
**Note: In land condemnation cases, use the location of the tract of land involved**

**X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT):** Rene Oliver DATE: August 22, 2013

**Notice to Counsel/Parties:** The CV-71 (US-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))